

General Data Protection Regulation
Candidate Privacy Notice

CONTENTS

WHAT IS THE PURPOSE OF THIS DOCUMENT?3

DATA PROTECTION PRINCIPLES3

WHAT INFORMATION WILL WE HOLD ABOUT YOU?3

HOW IS YOUR PERSONAL INFORMATION COLLECTED?.....4

HOW WE WILL USE INFORMATION ABOUT YOU4

 If you fail to provide personal information5

WHY ARE WE ALLOWED TO COLLECT AND USE YOUR PERSONAL DATA.....5

 Legitimate Interests.....5

 Legal and regulatory obligations5

CRIMINAL CONVICTIONS DATA.....5

AUTOMATED DECISION-MAKING6

DATA SHARING6

 Why might we share your personal information with third parties?.....6

DATA SECURITY.....6

DATA RETENTION.....7

 How long will you use my information for?7

RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION.....7

 Your rights in connection with personal information7

INFORMATION SECURITY OFFICER8

WHAT IS THE PURPOSE OF THIS DOCUMENT?

Oakley Capital Limited is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. You are being sent a copy of this privacy notice because you are applying for work with us (whether as an employee, worker or contractor). It makes you aware of how and why your personal data will be used, namely for the purposes of the recruitment exercise, and how long it will usually be retained for. It provides you with certain information that must be provided under the UK General Data Protection Regulation (GDPR).

DATA PROTECTION PRINCIPLES

We will comply with data protection law and principles, which means that your data will be:

- Used lawfully, fairly and in a transparent way;
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes;
- Relevant to the purposes we have told you about and limited only to those purposes;
- Accurate and kept up to date;
- Kept only as long as necessary for the purposes we have told you about; and
- Kept securely.

WHAT INFORMATION WILL WE HOLD ABOUT YOU?

In connection with your application for work with us, we will collect, use and store the following categories of personal information about you:

- The information you have provided to us in your curriculum vitae, covering letter and any other document submitted by you as part of the application process.
- Any information you provide to us during an interview.
- Information about your credit history.
- Copies of documents you have provided to allow us to verify your identity and, where necessary, to confirm your right to work, visas and other immigration related information.

We may also collect, use and store the following “special categories” of more sensitive personal information:

- Information about criminal convictions and offences or related proceedings.
- Information about your health, including any medical conditions, health and sickness records.

HOW IS YOUR PERSONAL INFORMATION COLLECTED?

We collect personal information about candidates from the following sources:

- You, the candidate;
- Recruitment agencies, as appointed by us, from which we collect the information included in your curriculum vitae;
- Background checking providers, such as Know Your Candidate Limited and GB Group plc, from which we collect and check criminal convictions data;
- Your named referees, from whom we may collect qualitative data regarding: the reasons why your former or current employer offered you employment; the reasons why you left your former or current employment; your working style and relationships with others; your strengths and weaknesses as an employee; your suitability for your former or current employment; and
- If you are recruited, to perform a senior management function or a certification function for the purposes of the Financial Conduct Authority's (FCA) Senior Managers and Certification Regime (SMCR), we will also collect from your employer(s) in the preceding six years the following data: details of any previous senior management function or certification function performed by you; details of any other roles performed by you; any breach by you of the FCA's conduct rules; any matter affecting your fitness and propriety to perform a function; details of any disciplinary action taken as a result of any of the preceding matters.

HOW WE WILL USE INFORMATION ABOUT YOU

We will use the personal information we collect about you as set out in the table below:

Personal data	How we will use it
Your employment history, roles and responsibilities, and educational background	To assess your skills, qualifications, and suitability for the role;
Your name, DOB, address, passport or other proof of address details	To carry out screening exercises, including criminal record checks, credit checks, and employment / educational background checks where applicable;
Your credit history, any regulatory references received,	To perform fitness and propriety checks for the purposes of SMCR, where applicable;
Your name, email address and phone number	Communicate with you about the recruitment process;
Where applicable, relevant health data	Allow us to assess if resources need to be made available or adjustments need to be made to our offices to ensure that we can put in place adequate health and safety measures for you;
Your curriculum vitae, and written notes from any interviews you attend	Keep records related to our hiring processes; and
Your credit history and criminal record data	Comply with legal or regulatory requirements.

Having received your CV and covering letter, we will then process that information to decide whether you meet the basic requirements to be shortlisted for the role. If you do, we will decide whether your application is strong enough to invite you for an interview. If we decide to call you for an interview, we will use the information provided during the interview to decide whether to offer you the role. If we decide to offer you the role, we will then take up references and carry out a criminal record check and credit check before confirming your appointment.

If you fail to provide personal information

If you fail to provide information when requested, which is necessary for us to consider your application (such as evidence of your right to work in the UK or your qualifications), we may not be able to process your application successfully. For example, if we require a credit check or references for this role and you fail to provide us with relevant details, we will not be able to take your application further.

WHY ARE WE ALLOWED TO COLLECT AND USE YOUR PERSONAL DATA

We can collect and use your personal data for the following reasons:

- It is in our “legitimate interests” to do so; or
- We are required to do so to fulfil a legal and / or regulatory obligation.

Legitimate Interests

It is in our company’s interest to process your personal data during the recruitment process. The reasons for processing your data, known under UK privacy law as our “*legitimate interests*” include each of the following:

- To assess whether your skills, qualities and experience are suitable for the role for which you have applied;
- To decide whether to enter into a contract of employment with you;
- For fraud and criminal activity prevention purposes, we are obliged by UK legislation and FCA regulations to process your criminal record and credit history data (for more detail on how we collect criminal record data, please see the Criminal Convictions Data section below);
- To ensure that we can put in place adequate health and safety measures for you, both during the interview process and (if successful) on joining the business, we may process certain data regarding your health, should you choose to volunteer this.

Please note that our *legitimate interest* does not apply where the processing of your data would unduly affect your interests or fundamental rights and freedoms.

Legal and regulatory obligations

We have a regulatory obligation to assess the fitness and propriety of individuals who are being considered for senior management or certification functions as defined under the SMCR (as discussed above).

CRIMINAL CONVICTIONS DATA

We envisage that we will process information about criminal convictions.

We will collect information about your criminal convictions history if we would like to offer you the role (conditional on checks and any other conditions, such as references, being satisfactory). We are entitled to, and may be required, to carry out a criminal record check to satisfy ourselves there is nothing in your criminal convictions history which makes you unsuitable for

the role. In particular:

- We are legally required by the FCA to carry out criminal record checks for those candidates who will perform a senior management function for us as an FCA authorised firm; and
- Roles within the financial services industry require a high degree of trust and integrity. When hiring for certain roles listed on the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, we may elect to seek an enhanced disclosure of your criminal records history. If you are a candidate for whom there is not a specific legal obligation to carry out a criminal record check, we would nonetheless like to ask you to seek a basic disclosure of your criminal records history.

We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data.

AUTOMATED DECISION-MAKING

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

DATA SHARING

Why might we share your personal information with third parties?

We will only share your personal information with third parties for the purposes of processing your application. These third parties include: background check and credit check providers such as Credence; Mayfair Legal, where assistance is needed in connection with your right to work in the United Kingdom; and the Disclosure and Barring Service for conducting criminal record checks. Please note that although we take every effort to maintain the above list of third parties, the suppliers listed may change from time-to-time.

All third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

DATA SECURITY

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need-to-know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

DATA RETENTION

How long will you use my information for?

If we decide not to appoint you to the role, then we will retain your personal information for a period of six months after we have communicated our decision to you. We retain your personal information for that period so that we can show, in the event of a legal claim, that we have not discriminated against candidates on prohibited grounds and that we have conducted the recruitment exercise in a fair and transparent way. After this period, we will securely destroy your personal information in accordance with our data retention policy.

If we decide to appoint you to the role, then you will be provided with a copy of our privacy notice relating to employees, workers and contractors. Generally, we retain the personal information of employees, workers and contractors for the duration of their employment and for up to six years after employment ceases. This period reflects the limitation period applicable to legal claims relating to employment. As regards information collected as part of your recruitment process, only information which has a bearing on our on-going employment relationship will be retained. Information about criminal convictions collected during the recruitment process will, once checked, be deleted unless is clearly relevant to our on-going employment relationship or required to be retained by financial services regulation.

RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION

Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the Human Resources team either by email at hr@oakleycapital.com, or by phone on +44 20 7766 6900.

INFORMATION SECURITY OFFICER

Under the current UK privacy laws, we are not required to appoint a data protection officer. However, we have appointed an information security officer to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the information security officer by email at [EMAIL ADDRESS] or by phone at [+44 20 7766 6900].

The company is registered with Information Commissioner's Office (ICO), the UK supervisory authority for data protection. You have the right to make a complaint at any time to the ICO via their website, a link to which can be found here: [Make a complaint | ICO](#).